

REMARKS

A Request for Continued Examination ("RCE") pursuant to 37 C.F.R. § 1.114 is being concurrently filed with this Preliminary Reply. Applicants note that the entry of the Amendment After Final Office Action dated August 18, 2005, constitutes the proper Submission with the RCE. This preliminary reply is in response to the Advisory Action that issued on September 1, 2005.

Status of the Claims

No claims are being amended, added or canceled. Thus, a listing of the claims is not necessary.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

Issues under 35 U.S.C. § 112, First Paragraph

As stated in the Final Office Action, claims 2, 8 and 22-25 stand rejected under 35 U.S.C. § 112, first paragraph, for asserted failure to comply with the written description requirement (see paragraph 4 of the Office Action). In the Advisory Action at page 2, paragraph 1, the Examiner states that Applicants have failed to provide any express or inherent support for the previous amendment to claim 2. However, at the same time, the Rule 132 Declaration filed with the Amendment After Final has not been considered (see paragraph 1 of the Advisory Action).

Thus, consideration of the Amendment After Final and the Rule 132 Declaration is respectfully requested.

The previously submitted Rule 132 Declaration specifically discusses how the adhesive layer is formed on the adhesive sheet, wherein the adhesive layer becomes solid during the manufacturing process. Further, the attached Declaration states (how one of skill in the art would understand) that the solid adhesive layer is explicitly or inherently supported in the present specification, wherein the solid characteristic is a result of the manufacturing process. Applicants further note that an application need not describe its invention *in haec verba* in order to comply with the description requirement of section 112.

Thus, it is respectfully submitted that the rejection under 35 U.S.C. § 112, first paragraph has been overcome.

Conclusion

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees. However, a full and complete response has been made to all issues as cited in the Office Action in Applicants' Amendment After Final of August 18, 2005. Thus, it is believed that no fee is due at this time.

Applicants respectfully request that a timely Notice of Allowance issue for the present case.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eugene T. Perez (Reg. No. 48,501) at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: September 16, 2005

Respectfully submitted,

By  #32,281

Gerald M. Murphy, Jr.

Registration No.: 28,977

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Rd

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant